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The Nation's Thank-offering.

By Nathan Haskell Dole.

Oh, God of Waste and Destruction,
We are proud of our splendid show—
A nation's mighty production,
The weapons of war and of woe!
For miles up the glorious river
The battleships, armored in steel,
Their ear-splitting volleys deliver
And their roar makes the city reel.

The smoke is the incense we offer
On the altar of death and of hate;
Its cost is poured from the coffer
Of the whole world's peaceful State.
Each gun eats a workman's wages—
The keep of a wife and a child;
We squander the wealth of long ages
For the uses of horror beguiled.

Great God of Despair and of Terror,
Behold our infernal array—
The fruit of lies and of error,
The joys of a devil's play!
In a day the rust will corrode it,
A needless war will destroy;
The furies will reap it that sowed it—
This fiendish, barbarous toy!

Accept the billions we waste on it
That might have been spent for our gain:
The tower of our fool-pride is based on it—
We are right to be boastful and vain.
We soon shall be adding great airships
From which liddite bombs may be hurled;
Then it will not pay to repair ships
That stick to the rim of the world!

So, God of Vengeance and Passion,
Enjoy this sacrifice grand
While still it is quite in the fashion
To waste the wealth of our land.
We lay our lives on the altar,
Our ruin we cheerfully meet;
Oh, let our hearts never falter!
To die for a folly is sweet!

The Treaties Without Amendment.

Views of Senator Isidor Rayner, of Maryland.

Presented in the Senate January 4, 1912.

Mr. Rayner, from the Committee on Foreign Relations, submitted the following views, to accompany Executives H and I, Sixty-second Congress, first session:

The Committee on Foreign Relations having submitted its report to the Senate upon the two treaties, one with Great Britain and one with France, for the arbitration of differences that may arise between these countries and the United States, it is my purpose now as a member of the committee to present my own views upon this subject. It involves as serious and important a question as has been before the Senate for many years. I favor the adoption of the treaties without amendment, but as the reasons that influence me differ somewhat from the views so far advanced I shall proceed to give the reasons that have led me to the conclusion that I have reached to support the treaties without amendment. I shall not discuss the policy that underlies these treaties. I am in favor of the exercise of any lawful power under the treaty-making clause of the Constitution that will tend to bring about the peace of the world, and these treaties are the greatest step in that direction that can at present

be formulated. If we can succeed in ending war between the civilized nations of the earth it will be as great an accomplishment as any that was ever achieved upon the pages of history or upon the field of progress. I have not the slightest fear of any danger that may result to our institutions from the adoption of the treaties, nor do I believe for a moment that any of the great governmental principles that lie at the foundation of the Republic will be imperilled; on the contrary, I am buoyant with hope that when the treaties once go into effect they will inaugurate the beginning of universal peace and will relegate the art and practice of war to the barbarous deeds of the past. I shall therefore not say anything further upon the principles that underlie the subject, but shall devote myself to a discussion of the legal and constitutional objections that have been raised against the adoption of the treaties by the majority of the Committee on Foreign Relations.

The first objection that is taken by the majority is to the last clause of Article III of the treaty, and it is thus stated in the report:

"If the joint commission decides that the question before them is justiciable under Article I, it must then go to arbitration, whether the treaty-making power of either country believes it to be justiciable or not."

I am inclined to agree with this construction for reasons that I will give, but I am not inclined to consider that as an objection to the adoption of the treaties. In reference to this point in the majority report, that the decision of the commission is final and that after the commission has decided the question to be *justiciable* that the treaty could not be amended or rejected by the Senate on the ground that the question is *not justiciable*, it seems to me that the opinion that the majority of the committee has reached is correct. To say the least of it, the last clause of Article III is ambiguous when it says that "if the commission agrees and reports that such difference is within the scope of Article I reference shall be made to arbitration in accordance with the provisions of this treaty."

It seems to me that when Article III refers to the provisions of the treaty the reference means that clause of the treaty which provides for submission to the permanent court of arbitration at The Hague, established by the convention October 18, 1907, or to some other arbitral tribunal, and does not mean, to my mind, that after the commission decides that the difference is within the scope of Article I the Senate shall have the right to reverse the decision of the joint high commission and hold that it is not within the scope of Article I. It would have been easy enough if it had been the intention of the framers of the treaty that the Senate should have the power to reject the decision of the joint high commission, to have plainly said so in the last clause of Article III. A few words would have accomplished it. A sentence such as this would have settled all possible ambiguity:

"Upon the decision of the joint high commission of inquiry that the difference is subject to arbitration the Senate may then decide upon the adoption, rejection, or amendment of the decision of the joint high commission."

Senator Burton, of the committee, in his supplemental views to the minority report, which are highly instructive and are set forth with great strength and power, takes